

APPROVED FOR RELEASE□
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NATIONAL SECURITY COUNSELORS

1200 SOUTH COURTHOUSE ROAD
SUITE 124
ARLINGTON, VA 22204

TELEPHONE: (301) 728-5908
FACSIMILE: (240) 681-2189

KEL MCCLANAHAN, ESQ., EXECUTIVE DIRECTOR
EMAIL: KEL@NATIONALSECURITYLAW.ORG
BRADLEY P. MOSS, ESQ., DEPUTY EXECUTIVE DIRECTOR
EMAIL: BRAD@NATIONALSECURITYLAW.ORG

12 November 2009

Delores M. Nelson
Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

Re: FOIA Request #F-2010-00074

Dear Ms. Nelson:

I have received your letter dated 3 November 2009 responding to our above indicated 8 October 2009 request. In it, you state your decision to refuse to process this request on the grounds that it is not reasonably described. CIA regulations specifically declare that the CIA will contact a FOIA requester to "work with, and offer suggestions to, [him] in order to define a request properly" before refusing to process a request on the grounds that it is not reasonably described. 32 C.F.R. § 1900.12(c). In recognition of this requirement, the original FOIA request submitted by NSC clearly stated:

If, even given these restrictions, the CIA still determines that this request does not reasonably describe the records sought, it is instructed to contact NSC pursuant to 32 C.F.R. § 1900.12(c) to discuss reformulation of the request before rejecting the request as overbroad, vague, or unduly burdensome. Given the compartmentalized nature of the CIA's records systems, NSC is willing to work with the FOIA analysts to determine a search strategy that will address both parties' needs.

The CIA has not done so, despite our clear instructions and its own regulations. Accordingly, we formally appeal this action, and specifically request that a CIA representative contact us in a timely fashion with discrete concerns regarding this request so that we may address them with particularity in an addendum to this appeal.

Thank you for your prompt attention to this matter.

Sincerely,

Kel McClanahan
Executive Director

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